

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

BACKPAGE.COM, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 4:17 CV 1951
	)	
JOSHUA D. HAWLEY, in his official	)	
capacity as Attorney General of the State	)	
of Missouri,	)	
	)	
Defendant.	)	
	)	

---

**BACKPAGE.COM, LLC'S NOTICE OF APPEAL**

COMES NOW PLAINTIFF, Backpage.com, LLC “(Backpage”), by and through undersigned counsel, and pursuant to 28 U.S.C. § 1291 and Federal Rules of Appellate Procedure 3 and 4, to give notice that Plaintiff appeals to the United States Court of Appeals for Eighth Circuit as a matter of right from the District Court’s Memorandum and Order dismissing this action (ECF #59). As the District Court entered its Memorandum and Order November 28, 2017, this Notice of Appeal is timely, and the order is ripe for review.

Plaintiff seeks review of the District Court’s Memorandum and Order that (1) granted the Defendant Missouri Attorney General Joshua D. Hawley’s Motion to Dismiss (ECF #21); (2) denied as moot Backpage’s Motion for Leave to File First Amended Complaint (ECF #51); (3) denied Backpage’s Motion for Preliminary Injunction (ECF #11-14); and (4) denied Backpage’s Motion for Second Preliminary Injunction to Prevent Enforcement of 15 CSR 60-16.040 (ECF #48-49). The Court dismissed the original Complaint on abstention grounds under *Younger v. Harris*, 401 U.S. 37 (1971). Plaintiff appeals because *Younger* abstention was not

properly invoked in this case to decline jurisdiction and to otherwise dispose of this federal action.

DATED: December 27, 2017.

Respectfully submitted,



James C. Grant (admitted *pro hac vice*)  
Robert E. Miller (admitted *pro hac vice*)  
DAVIS WRIGHT TREMAINE LLP  
1201 Third Avenue, Suite 2200  
Seattle, WA 98101  
(206) 622-3150 (tel.); (206) 757-7700 (fax)  
jimgrant@dwt.com  
robertmiller@dwt.com

Robert L. Corn-Revere (admitted *pro hac vice*)  
Ronald London (admitted *pro hac vice*)  
DAVIS WRIGHT TREMAINE LLP  
Suite 800, 1919 Pennsylvania Avenue NW  
Washington, DC 20006-3401  
(202) 973-4225 (tel.); (202) 973-4499 (fax)  
bobcornrevere@dwt.com  
ronnielondon@dwt.com

Mark Sableman, MO - 36276  
Jan Paul Miller, MO – 58112  
Michael L. Nepple, MO – 42082  
THOMPSON COBURN LLP  
One US Bank Plaza  
St. Louis, Missouri 63101  
(314) 552-6000 (tel.); (314) 552-7000 (fax)  
msableman@thompsoncoburn.com  
jmiller@thompsoncoburn.com  
mnepple@thompsoncoburn.com

Attorneys for Plaintiff Backpage.com, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing was filed electronically with the Clerk of the Court to be served via operation of the Court's electronic filing system this 27th day of December, 2017, upon all counsel of record.

  
\_\_\_\_\_